

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**INTERNATIONAL BUSINESS  
MACHINES CORPORATION,**

**Plaintiff,**

**-vs.-**

**PLATFORM SOLUTIONS, INC. and T3  
TECHNOLOGIES, INC.,**

**Defendants.**

**Civil Action No. 06-CV-13565-LAK  
(THK)**

**DECLARATION OF THOMAS  
MORRIS, JR. IN SUPPORT OF  
PLAINTIFF IBM'S OPPOSITION TO  
PLATFORM SOLUTIONS, INC.'S  
MOTION FOR SUMMARY  
JUDGMENT ON COUNTS ELEVEN  
AND TWELVE OF IBM'S SECOND  
AMENDED COMPLAINT**

DECLARATION OF THOMAS MORRIS JR.

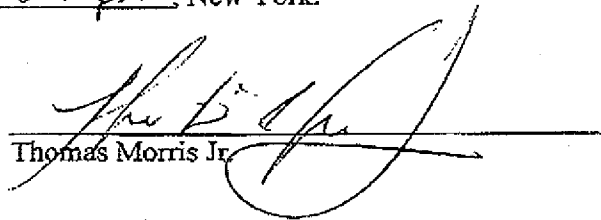
I, Thomas Morris Jr., declare as follows:

1. I am over the age of eighteen and make this declaration of personal, firsthand knowledge and, if called and sworn as a witness, I could and would testify competently thereto.
2. I joined IBM in June 1981, and am currently the Development Manager for Semi-Custom ASIC Development, Integration & Physical Design, in the IBM Systems & Technology Group, for IBM Corporation. I have been in this position since February 2006.
3. From October 2000 through September 2003, I was the z Series Micro Processor Functional Manager, responsible for the design and development of z Series Micro Processors..
4. Sometime in 2000, I visited Amdahl's headquarters in Sunnyvale, California, for the purpose of recruiting Amdahl employees who would soon be without jobs as a result of Amdahl leaving the Plug Compatible Mainframe business. Scott Blackledge was hired by IBM as an engineer as the result of my trip.
5. While in Sunnyvale during my recruiting trip in 2000, I was approached by representatives of Amdahl who inquired whether IBM would be interested in purchasing their emulator tool, Merlin. After returning to Poughkeepsie, New York, and having discussions with my colleagues at IBM, it was decided that IBM had no use for Amdahl's Merlin. I told the Amdahl representatives that IBM had no use for Merlin.
6. Scott Blackledge did not directly report to me when he worked at IBM.
7. I do not have any specific recollection of having met or spoken with Ron Hilton, although his name sounds familiar. At no time, however, did anyone, including Scott Blackledge, ever tell me or give me any reason to believe that Platform Solutions had obtained

versions of diagnostics from Amdahl that embodied or disclosed IBM confidential information.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 5, 2008, at 3:10pm, New York.

  
Thomas Morris Jr.

**CERTIFICATE OF SERVICE**

I, Andrew B. Curran, hereby certify that on May 5, 2008 I caused to be served the foregoing **DECLARATION OF THOMAS MORRIS, JR. IN SUPPORT OF PLAINTIFF IBM'S OPPOSITION TO PSI'S MOTION FOR SUMMARY JUDGMENT ON COUNTS ELEVEN AND TWELVE OF IBM'S SECOND AMENDED COMPLAINT** using the CM/ECF system which sent notice to all counsel of record as indicated below:

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/s/ Andrew B. Curran  
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